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7 Attorneys for the United States

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10
11 LYCURGAN INC. dba ARES ARMOR,

12 Plaintiff

13 v.

14 B. TODD JONES, in his official capacity
as Head of the San Diego Bureau of
15 Alcohol, Tobacco, Firearms and
Explosives; and DOES 1-10,

16 Defendants.
17

Case No.: 14CV1679 JLS (BGS)

DECLARATION OF DANIEL E.
BUTCHER REGARDING PENDING
MOTION TO DISMISS COMPLAINT

DATE: Under Submission

Hon. Janis L. Sammartino

18
19 **I, Daniel E. Butcher, declare as follows:**

- 20 1. I am an Assistant United States Attorney for the Southern District of
21 California and represent Defendants in the above-referenced case.
22 2. I submit this declaration to update the Court on recent developments in
23 connection with Defendant's pending motion to dismiss.
24 3. The United States Attorney's Office for the Eastern District of California
25 has informed this office that the EP80 lower receivers seized from
26 Plaintiff are no longer needed in connection with their criminal
27 investigation.
28

1 4. The Bureau of Alcohol, Tobacco, Firearms, and Explosives is presently
2 evaluating whether and how to return the seized EP80 lower receivers to
3 Plaintiff.

4
5 **I declare under penalty of perjury that the foregoing is true and correct.**

6 Dated: December 16, 2014


DANIEL E. BUTCHER